

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. CR15-202 JCC
Plaintiff,)
)
v.)
) DETENTION ORDER
RAFAEL MARIN-MACIAS,)
)
Defendant.)
_____)

Offense charged: Conspiracy to Distribute Controlled Substances

Date of Detention Hearing: July 6, 2015.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to
02 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

03 2. Defendant is associated with a number of residences, all of which reported were
04 search and found to contain drug paraphernalia. The AUSA alleges that he temporarily was
05 able to elude arrest by escaping through a second floor window at one of the residences. He
06 also was charged with an unrelated controlled substance offense in California in May of this
07 year, the disposition of which is not known. Defendant possesses a Mexican and a United
08 States passport and reports recent travel to Mexico to visit family.

09 3. Taken as a whole, the record does not effectively rebut the presumption that no
10 condition or combination of conditions will reasonably assure the appearance of the defendant
11 as required and the safety of the community.

12 It is therefore ORDERED:

- 13 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
14 General for confinement in a correction facility separate, to the extent practicable, from
15 persons awaiting or serving sentences or being held in custody pending appeal;
- 16 2. Defendant shall be afforded reasonable opportunity for private consultation with
17 counsel;
- 18 3. On order of the United States or on request of an attorney for the Government, the
19 person in charge of the corrections facility in which defendant is confined shall deliver
20 the defendant to a United States Marshal for the purpose of an appearance in connection
21 with a court proceeding; and
- 22 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel

01 for the defendant, to the United States Marshal, and to the United State Pretrial Services
02 Officer.

03 DATED this 6th day of July, 2015.

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05 Mary Alice Theiler
06 United States Magistrate Judge
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